

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KALOMA CARDWELL,

Plaintiff,

v.

DAVIS POLK & WARDWELL LLP,
THOMAS REID, JOHN BICK, and DANIEL
BRASS,

Defendants.

Case No. 19-cv-10256-GHW

**PLAINTIFF'S PROPOSED
JURY VERDICT FORM**

PROPOSED JURY VERDICT FORM

Retaliation Claims

Do you find that:

1. A. Mr. Cardwell has proved by a preponderance of the evidence that Davis Polk & Wardwell LLP retaliated against him in violation of Section 1981?
(*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

- B. Mr. Cardwell has proved by a preponderance of the evidence that John Bick retaliated against him in violation of Section 1981? (*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

- C. Mr. Cardwell has proved by a preponderance of the evidence that Thomas Reid retaliated against him in violation of Section 1981? (*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

- D. Mr. Cardwell has proved by a preponderance of the evidence that Daniel Brass retaliated against him in violation of Section 1981? (*See Jury Instructions:*

PROPOSED JURY VERDICT FORM

Sections/Numbers 26 and 27)

Yes _____

No _____

Do you find that:

2. A. Mr. Cardwell has proved by a preponderance of the evidence that Davis Polk & Wardwell LLP retaliated against him in violation of Title VII?
(*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

Do you find that:

3. A. Mr. Cardwell has proved by a preponderance of the evidence that Davis Polk & Wardwell LLP retaliated against him in violation of the New York State Human Rights Law?
(*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

B. Mr. Cardwell has proved by a preponderance of the evidence that John Bick retaliated against him in violation of the New York State Human Rights Law? (*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

C. Mr. Cardwell has proved by a preponderance of the evidence that Thomas Reid retaliated against him in violation of the New York State Human Rights Law? (*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

D. Mr. Cardwell has proved by a preponderance of the evidence that Daniel Brass retaliated against him in violation of the New York State Human Rights Law? (*See Jury Instructions: Sections/Numbers 26 and 27*)

Yes _____

No _____

Do you find that:

PROPOSED JURY VERDICT FORM

4. A. Mr. Cardwell has proved by a preponderance of the evidence that Davis Polk & Wardwell LLP retaliated against him in violation of the New York City Human Rights Law?

(See Jury Instructions: Section/Number 28)

Yes _____

No _____

B. Mr. Cardwell has proved by a preponderance of the evidence that John Bick retaliated against him in violation of the New York City Human Rights Law? *(See Jury Instructions: Section/Number 28)*

Yes _____

No _____

C. Mr. Cardwell has proved by a preponderance of the evidence that Thomas Reid retaliated against him in violation of the New York City Human Rights Law? *(See Jury Instructions: Section/Number 28)*

Yes _____

No _____

D. Mr. Cardwell has proved by a preponderance of the evidence that Daniel Brass retaliated against him in violation of the New York City Human Rights Law? *(See Jury Instructions: Section/Number 28)*

Yes _____

No _____

If you have answered “Yes” to any of the above Questions 1-4 and subparts, then you have also found that Davis Polk & Wardwell LLP retaliated against the Plaintiff. Conversely, if you have answered “No” to ALL of the above questions, then you have found that Davis Polk & Wardwell LLP has not retaliated against the Plaintiff.

Damages

If you have answered “Yes” to any of the above Questions 1-4 and subparts, please continue on to question 5 below. If you have answered “No” to ALL of the above questions, you shall not answer the following questions.

A. Compensatory

5. A. What dollar amount, if any, do you award total to Mr. Cardwell for any **compensatory damages** as a result of unlawful conduct by Defendants? *(See Jury Instructions: Section/Number 31)* Remember not to duplicate damages from the above and below categories.

PROPOSED JURY VERDICT FORM

\$ _____

B. How many dollars of the compensatory damages should be paid by Davis Polk & Wardwell LLP?

\$ _____

C. How many dollars of the compensatory damages should be paid by John Bick?

\$ _____

D. How many dollars of the compensatory damages should be paid by Thomas Reid?

\$ _____

E. How many dollars of the compensatory damages should be paid by Daniel Brass?

\$ _____

B. Nominal Damages

6. How much, if any, do you award to Mr. Cardwell for **nominal damages** as a result of unlawful conduct by Defendants? *(See Jury Instructions: Section/Number 32)*

\$ _____

(Only answer Question 6, if you answered \$0 to Questions 5 and subparts)

C. Punitive Damages

7. A. How much if any, do you award total to Mr. Cardwell for any **punitive damages** as a result of unlawful conduct by Defendants under Section 1981, Title VII, the New York State Human Rights Law? *(See Jury Instructions: Section/Number 33)*
Remember not to duplicate damages from the above and below categories.

\$ _____

B. How much of the punitive damages should be paid by Davis Polk & Wardwell LLP?

\$ _____

PROPOSED JURY VERDICT FORM

C. How much of the punitive damages should be paid by John Bick?

\$ _____

D. How much of the punitive damages should be paid by Thomas Reid?

\$ _____

E. How much of the punitive damages should be paid by Daniel Brass?

\$ _____

8. A. How much if any, do you award total to Mr. Cardwell for any punitive damages as a result of unlawful conduct by Defendants under the New York City Human Rights Law? (*See Jury Instructions: Section/Number 34*) Remember not to duplicate damages from the above and below categories.

\$ _____

B. How much of the punitive damages should be paid by Davis Polk & Wardwell LLP?

\$ _____

C. How much of the punitive damages should be paid by John Bick?

\$ _____

D. How much of the punitive damages should be paid by Thomas Reid?

\$ _____

E. How much of the punitive damages should be paid by Daniel Brass?

\$ _____